IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SECOND APPEAL No 547 of 1976

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

DECEASED MANGALBHAI HARIBHAI THROUGH HIS HEIRS

Versus

PATEL FULABHAI ZINABHAI

Appearance:

MR MC SHAH for Appellants No. 1-1/4

UNSERVED-EXPIRED (N) for Respondent No. 1

MR JITENDRA M PATEL for Respondent No. 1

NOTICE SERVED for Respondent No. 2-4

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 09/07/2003

ORAL JUDGEMENT

The respondent no.1 could not be served since he had expired and no steps were taken to bring his heirs and legal representatives on record. The learned counsel for the appellants states that though several letters were written to the appellants, he has no instructions. The appeal is, therefore, dismissed since the appellants are not interested in prosecuting the same. No order as to costs.

(M.C. Patel, J.)

hki